IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

ROCKY LEEPER,	§	
	§	
Plaintiff,	§	
	§	
v.	§	1:16-CV-819-RP
	§	
TRAVIS COUNTY SHERIFF'S OFFICE, et al.,	§	
	§	
	§	
Defendants.	§	

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the Court is the Report and Recommendation of United States Magistrate Judge Andrew W. Austin, filed on September 27, 2016. (Dkt. 6). The Magistrate Judge reviewed Plaintiff Rocky Leeper's Complaint on the merits as required by 28 U.S.C. § 1915(e) and issued his Report concluding that certain defendants were improperly named and recommending that they should be dismissed. The record indicates that Plaintiff received a copy of the Report and Recommendation on or around October 5, 2016. (*See* Dkt. 19).

Pursuant to 28 U.S.C. § 636(b) and Rule 72(b) of the Federal Rules of Civil Procedure, a party may serve and file specific, written objections to the proposed findings and recommendations of the Magistrate Judge within fourteen days after being served with a copy of the Report and Recommendation, and thereby secure a de novo review by the district court. A party's failure to timely file written objections to the proposed findings, conclusions, and recommendation in a Report and Recommendation bars that party, except upon grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the district court. *See Douglass v. United Services Auto Ass'n*, 79 F.3d 1415 (5th Cir. 1996) (en banc).

Plaintiff was properly notified of the consequences of a failure to file objections. To date, Plaintiff has not filed objections to the findings of fact and conclusions of law in the Report and Recommendation. The Court, having reviewed the entire record and finding no plain error, accepts and adopts the Report and Recommendation of the Magistrate Judge for substantially the reasons stated therein.

Accordingly, the Court **ORDERS** that the Report and Recommendation of the United States Magistrate Judge, (Dkt. 6), is **APPROVED AND ACCEPTED**.

IT IS FURTHER ORDERED that Defendants Travis County Sheriff's Office, Austin Municipal Court Judge Kenneth Jon Vitucci and Travis County Sheriff Deputies Jane Doe and John Doe 1–10 are hereby **DISMISSED** from this action.

SIGNED on November 15, 2016.

ROBERT PITMAN
UNITED STATES DISTRICT JUDGE